

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

ANDREA HOLIFIELD,

Plaintiff,

VS.

PETER LUSCHE, M.D., et al.,

Defendant.

CASE NO. 3:06-cv-00482-VPM

## MOTION TO REMAND

COMES NOW the defendant, identified in the Complaint as Peter Lusche, M.D., and moves this Court to remand this action to the Circuit Court of Lee County, Alabama.

As grounds for this motion, this defendant shows unto the Court the following:

1. This defendant is an individual resident citizen of the State of Alabama.
2. This defendant did not consent to the removal of this action by Eli Lilly & Company.
3. This Court has no jurisdiction over this defendant.

s/Michael K. Wright

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Michael K. Wright                      WRI005

Attorney for Peter Lusche, M.D.

**OF COUNSEL:**  
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### **CERTIFICATE OF SERVICE**

I hereby certify that on June 1, 2006, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will send notification of such filing to the following:

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Respectfully submitted,

s/Michael K. Wright  
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